

CALL NOT TOMORROW THINE

Frontispiece:

FREDERICK FISHER: An impression modelled by the author, of what he could have looked like. Based on the physiognomy of a male Fisher who was born about 1849, believed to have been a great nephew of the famous generator of the Campbell Town ghost. When Fisher died photography had not yet been invented.

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The Story of
Frederick Fisher

by
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INTRODUCTION

One hundred and fifty years after the death of Frederick George James Fisher, at Campbell Town, New South Wales, the story of the appearance of his ghost soon following his ferocious murder has ranked among the world's favourite and most persistent yarns of the supernatural. From its beginnings in 1826 in what was then principally a convict settlement, the story spread to other countries, where its ostensible purport that death is no barrier to a soul hungering for vengeance upon a living enemy, assured it a perennial currency.

Within Australia, the controversy which began at the moment the alleged ghost of the missing Ticket-of-Leave convict was reported, has flared up periodically until the present day when scepticism and misrepresentation of even the bare outlines of the original story are perhaps more pronounced than ever.

The absence over a long period of the story's currency of certain vital documentary evidence concerning Fisher himself and subsequently of the circumstances of his death, has permitted development of two camps -- the pro-ghost and the anti-ghost groups. The latter have always tended to be the more vocal, 'proving' from time to time the non-existence of the apparition seen by Fisher's repected neighbour, John Farley, the impossibility of such a manifestation and the certain villainy of the said Farley.

One result of the absence of documentation -- or the non-availability of it for one reason or another -- has been the appearance of a stream of conflicting versions of the story, many of them offering the 'true facts' but none of them doing so. For this reason it has been thought now appropriate to prepare the way for the factual story by presenting a selection of preceding versions, showing the more extravagant falsifications and accretions to the first published meagre account.

With an awakening appreciation of their early history, Australians have begun to hesitate to pass personal papers and old official records to the flames or pulping mills which have devoured so much priceless material. The vigilance of the trustees of the Mitchell Library, Sydney, for example, has brought together a surprising number of papers relating to Frederick Fisher, which for so long have been curiously dispersed. The Dixon Collection and the State Archives Office of NSW have each made a contribution to the story of the personage behind the celebrated ghost. The existence of these papers makes it inexcusable to neglect the opportunity to present to the public reliable details of this tantalising classic.

In the past, difficulties in piecing the story of Fisher together, mainly from the angle of the reported haunting, doubtless arose particularly from the absence of the depositions covering a series of official investigations at Campbell Town in 1826, before and after the discovery of Fisher's having been murdered. It seems to have been expected by most later inquirers that confirmation of the apparitional incident would have been contained in those papers. One promising clue in this writer's search for the truth of the legend was a mention in one of the two journals of the Campbelltown & Airds Historical Society, published in 1948, of the late T.D.Mutch's locating the murder spot with the aid of 'a contemporary drawing'. This drawing was not then to be found in the State Archives, the Mitchell Library or in the Dixon Gallery.

When the writer was about to give up the ^{search} for this promising drawing, one of the staff of the Mitchell Library helpfully brought forth a box containing a quantity of uncatalogued papers, some of them marked, 'Fisher's Ghost'. They had just been received from the estate of the late Mr. Mutch who had died in 1958 -- several years previously. Mr. Mutch, a former politician, cabinet minister, and at the time of his death, senior trustee of the NSW Public Library, had been greatly interested in the Fisher story. Although the papers were not yet on issue, permission

was given this writer to examine the bequest, it being known how intensively the resources of the Library were being used to pick up the tracks of Frederick Fisher.

The bulk of the papers were old records of the Supreme Court as concerned the trial of Fisher's murderer, and papers from the Attorney General's office of the time, to the archives of which department they have since been restored.

Most important among the papers was a set of 'true copies' of the depositions of the magisterial inquiries concerning Fisher's fate, at Campbell Town. There was also the elusive 'contemporary drawing'. Still other papers included the forged receipt by which the murderer, George Worrall first drew suspicion upon himself. Andrew Lang, the noted author, in 1903 deplored the lacuna in the information available about Fisher, and stated his belief that it was in the missing records that whatever truth there was in the ghost story would be found there. Now, here were those records! We shall see in the course of the story hereafter, what light they throw upon the legend of the ghost.

In what circumstances the papers mentioned came into Mutch's possession, and for what reason they remained for so long out of reach of the public, when in fact they were public records, it is not possible for the writer to say.

To depict Frederick Fisher, George Worrall and the contentious ghost seer, John Farley to present day readers who have been misinformed down the years by a stream of imaginative screeds, it has been necessary to rely upon what their contemporaries said of them, and in the case of Frederick Fisher, to leave the evidence of his own and his mother's letters and the testimony of his associates as to his personality. Fisher's claim to historical distinction does not rest on the famous ghost story alone. The ghost story, it might be said, was a footnote to his life. It is not the writer's fault if the man emerges from the facts as more attractive a figure than today's convict haters can stomach.

In the attempt to survey the career of the ghost story down the intervening one and a half centuries by looking at the more representative samples, it is unavoidable that the outline of the story should be so often repeated. However, this turns out to be unobjectionable as the different versions vary so widely and sometimes contain fascinating inaccuracies and entertaining absurdities. When the true story unfolds it is seen to be more historically interesting than one may have expected. Belated recital of the facts will surely not exhaust the appeal of the story, for it combines both history and philosophy, touching in the latter aspect some of the profoundest enigmas of the human psyche.

The original form, Campbell Town, has been retained throughout in preference to the current Campbelltown, with one exception -- the use of the compound name by one of Fisher's neighbours in a very important private letter. All texts quoted or paraphrased are indicated appropriately as originals in the possession of the Mitchell Library (ML), Dixon Collection (DG), NSW State Archives (SA) and the Public Records Office, London (PRO). Photographic reproductions from the same sources are similarly acknowledged.

My thanks are due to the staffs of the institutions named, for willing assistance. I am also indebted to Mrs. Jean Litchfield, of Nottingham, England, Frederick Fisher's great grand niece, for information about the family background, copies of correspondence extending over almost a century in connection with the Fisher family's ruinous efforts to recover Frederick's estate, which suffered in its passage through the hands of gentleman swindlers employed by the colonial government, only two of whom had the grace to kill themselves. This material is to be found in Appendix One.

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P A R T O N E

The Making of a Legend

C H A P T E R O N E

1 8 3 2 Six years after the murder of Frederick Fisher at Campbell Town, New South Wales, the first fictional account of it appeared in print. This was in verse, entitled, The Sprite of the Creek; founded on the murder at Campbell Town of a Sherriff's Bailiff named F†

The verse was published in 1832 in a newspaper, Hill's Life in New South Wales, which survived for only a few issues: the verse ran --

TEXT YET

† I am indebted to Miss Nancy Keesing for bring^{ing} to my attention an article in Australian Literary Studies, Vol 3, No.3, 1968, ~~entitled~~ by Cecil Hadgraft and Elizabeth Webby revealing the existence of this verse, three years after my MS had been completed.

1 8 3 5 The world career of the Fisher ghost story began with the publication in England during 1835 of Robert Montgomery-Martin's five-volume History of the British Colonies. Its author had for some time lived in Sydney, practising as a surgeon at Parramatta, presumably whilst collecting material for his History.

In order to describe the remarkable detective abilities of the unspoiled Australian aborigines, Montgomery-Martin recounted in his fourth volume the story of Frederick Fisher's disappearance and the eventual discovery of his body by the aid of natives. The story was merely a footnote and contained none of the names of the persons concerned in the events. The author was careful to state, however, that the story was vouched for by Saxe Bannister, who at the time of the happenings had been Attorney General of New South Wales.

The narrative recorded that a settler, 'a steady, prudent individual' had suddenly disappeared. One night, another settler, when returning home with his horse and cart after attending market,

. . . on arriving at a part of the fence by the roadside, near the farm of his absent neighbour, thought he saw him sitting on the fence; immediately, the farmer pulled up his mare, hailed his friend, and, receiving no answer, got out of the cart and went to the fence; his neighbour (as he plainly appeared) quitted the fence and crossed the field towards a pond in the direction of his home. The next day he went to his neighbour's cottage, expecting to see him, but saw only the overseer, who laughed at the story . . .

The farmer realised he had seen an apparition. His experience soon came to the ears of the local authorities who ordered a search to be carried out by the police, assisted by aboriginal trackers. One of the natives presently discovered traces of blood on the rails

of a fence on the missing man's farm and declared it was the blood of a white man. He then led the search to a creek not far away, and after skimming its surface with a corn leaf, and tasting and sniffing the scum, said he detected the presence of a white man's fat. The aboriginal ~~then~~ tracked to another creek, where an iron rod was thrust into a stretch of mud. After sniffing the rod, the native indicated he believed a body was buried there.

Digging confirmed his opinion: the missing settler's body was revealed, his murder being evident from the injuries to the head. As a result the dead man's next door neighbour was arrested, put on trial in Sydney and later executed. Before being hanged, and after maintaining his innocence throughout, the doomed man confessed that

. . . he came behind him [the victim] when he was crossing the identical rail on which the farmer thought he saw the deceased, and, with one blow on the head, felled him dead -- dragged the body to the pond and threw it in; but after some days, took it out again and buried it where it was found.

There are several serious inaccuracies of detail in the Montgomery-Martin version, which has been the generally-accepted outline down to the present day. In due course they will be clarified. For the moment it is important to note that the aboriginal tracking was not from one creek to another; but from one creek to a depression in a cultivation paddock, where after rain water sometimes lay for a while.

1836 Ten years after the event, the Fisher's Ghost story was still being orally transmitted in the colony with undimmed, if not actually increasing enthusiasm. The year following Montgomery-Martin's astonishing footnote, the haunting was given new impetus by an article which appeared in Tegg's Monthly Magazine, issued by James Tegg, of George Street, Sydney, in March. The authorship has been attributed to William Kerr, said to have been associated with Rev. John Dunmore Lang's Australian College, possibly as a tutor. Kerr was also at times occupied as a journalist. He has been identified with the founding of the Melbourne Argus.¹

It is more certain that William Kerr was connected with the numerous Howe family, free settlers of Glenlee, near Campbell Town, with whom, from the internal evidence, he is indicated as functioning as a tutor about the time of the Fisher case. Probably stimulated by the appearance in the colony of Montgomery-Martin's History with its exciting footnote, Kerr paid a visit to Campbell Town to obtain data for a more detailed version.

In introducing the story, Kerr stated that the principal parts of the story might be relied upon as being strictly true and that 'most of those concerned in the investigation are still alive and can bear testimony for its truth'. Certainly, Kerr should have been in a favoured position to obtain most of the facts at first hand; but in reading his rendition one becomes aware that he was much more concerned with dramatizing than with reporting:

The visitant to Campbell Town must have observed as he strolled through the village, a large unfinished brick building fast mouldering to decay, which seems to have been intended at the time of its erection for a store; its appearance, however, shows that whatever may have been the intention in erecting it, something must have intervened to prevent the accomplishment of the object.

It is now rapidly falling into decay . . . the ruins are not much frequented by the inhabitants of the surrounding cottages. The unfinished building and the land which surrounds it were the property some few years ago of a man named Frederick Fisher, who occupied an adjoining cottage, of which scarcely a trace now remains.

Fisher had been originally a prisoner; He had served his time in the employ of a gentleman in the neighbourhood, and had removed to the town when he obtained his Ticket-of-Leave. Some years previous to the commencement of our tale, he had received his certificate of freedom, having undergone the sentence which had been awarded to him by the laws of his country. He had also soon after he became

free obtained a grant of a town allotment and had commenced the building upon it, intending on its completion to occupy one portion of it as a dwelling house and to convert the remaining part into a store.

Fisher was but a boy at the time of the commission of the offence which had led to his transportation. His relatives, enraged at the disgrace he had subjected them to by his conduct, had taken little notice of him after that period; and as he could put no trust in those whom he saw around him, placed in circumstances similar to his own, he had, consequently formed no friendship which might have enabled him to pass pleasantly his vacant time; his education, also, had been much neglected in his youth by those very relatives who were so liberal of their censure after he had gone astray; it is not, therefore, matter of surprise that his time should have, occasionally, hung heavy on his hands. His own fireside presented few attractions for him; his conduct, since his arrival in the colony, not having been such as to afford him much gratification in the retrospect; the resolutions of amendment he had made whilst in jail and on the passage out, had melted like snow when exposed to the demoralizing influence of the examples set by those around him. Fisher,

like most of his class, flew for refuge from unpleasant recollections to the society which the neighbouring taprooms afforded, and sought for that which he found not at home, in quaffing the flowing bowl.

The necessary consequences of conduct such as this soon became apparent, his business, to which, on gaining ^{his} freedom he had paid strict attention, was now neglected; but instead of endeavouring by exertion, to extricate himself from the difficulties which began to surround him -- he plunged deeper into a life of dissipation, frequenting the purlieus of the tap both night and day. His inevitable ruin became so soon apparent, that his creditors

resolved no longer to brook delay, he was accordingly arrested and lodged in jail, at the instance of one of their number, for a debt of £150.

Although Fisher had been weak enough to allow the bad example of others to lead him astray, he was yet far from having reached that pitch of depravity which many of his associates had attained: although he had neglected his business, and spent in dissipation those means which he ought to have applied to the liquidation of his debts, he had yet sufficient moral principle remaining to shudder, when one of his drunken associates, named Worrall, suggested the expediency of entering into a scheme to defraud his creditors, by making over to him Worrall the whole of his property which yet remained; making at the same time, a private engagement that it should be restored to him as soon as he was permitted to leave the jail. The persuasion of Worrall, who represented to him the ease and safety with which he might thus revenge himself upon his creditors and regain possession of his property without any encumbrance, soon overcame his feelings of repugnance which he had at first felt, and he consented to make a transfer of all he possessed to Worrall, under these conditions.

Mr. P.,² at whose instance Fisher had been incarcerated, finding that he was not the owner of the property he had supposed, consented after some time, to his liberation, as the only means by which he was likely ever to recover the amount of his claim. Fisher, immediately on his release, returned to Campbell Town, exulting in ~~the~~ success of his scheme. About a week after Fisher's return, he left his house one evening with the intention, it was supposed, of resorting, according to his usual custom, to one of the neighbouring gin shops.

Kerr continues that Fisher's non-appearance the next morning was put down to his having been too drunk to return home. Inquiry at his usual haunts -- the inns of the district -- failed to reveal his whereabouts. Worrall, however, according to Kerr, returned from Sydney at this moment and said 'he had accompanied Fisher there on the previous evening and Fisher had sailed early that morning for England, in order to avoid creditors, one of whom had threatened to have him jailed'. This explanation by Worrall put to rest all further conjecture and he was allowed to take possession of Fisher's property upon his producing Fisher's conveyance.

. . . About six weeks after Fisher's disappearance, Mr. Hurley,³ a respectable settler when leaving Campbell Town about 10 p.m. for his own residence, in the neighbourhood, passed Fisher's cottage. The moon was up but there were some obscuring clouds. When about 500 to 800 yards away from the house, he saw a man sitting on the top of the fence on the same side of the road as the house. He approached and was surprised to recognize Fisher, whom he had supposed was on his way to England.

'Hurley,' Kerr averred, made towards the figure 'with the intention of assuring himself that he had not been deceived by a fancied resemblance;'

. . . the ghastly appearance which the features presented to his view . . . struck such a chill of terror to his heart as chained him motionless to the spot. The figure, as he gazed, rose from the fence, and waving its arms pointed in the direction of a small, dry creek, which crosses the paddock at that place . . . and then disappeared.

The terrified 'Hurley' made for the nearest house, at the door of which he collapsed, his head striking the door and arousing the inmates, who brought the unconscious man inside,

. . . where he lay for a whole week in a delirium of a

brain fever. The frequent mention of the name of Fisher in his ravings, attracted the attention of those who attended him . . . his known character for sobriety, as well as the testimony of those who had parted from him only a few minutes before, forbade the supposition that it had been caused by drunkenness.

The unfortunate man regained full possession of his senses on the morning of the ninth day after his Strange experience and asked that a police magistrate should be brought to him. William Howe, then Superintendent of Police for Campbell Town and surrounding districts, and himself a magistrate, arrived in due course and heard 'Hurley's ' story and of his suspicion that Frederick Fisher had met with foul play. As soon as he was able to leave his bed, 'Hurley', raves on William Kerr, together with Mr. Howe and some constables and an aboriginal tracker named Gilbert 'went to the place where the apparition had been seen'.

As in the Montgomery-Martin version, the next part of Kerr's narrative describes the tracker's locating of the body. Worrall was duly arrested, tried and sentenced to death. Before he 'expiated his crime on the scaffold . . . imploring with his last breath the forgiveness of his Maker', the murderer confessed to having trailed Fisher on the fatal night, knowing his habit of walking alone in the evening, and then having killed him with a fence rail while he was leaning deep in thought against a fence. The motive, of course, had been to obtain possession of the property which Fisher had earlier made the subject of an agreement with Worrall.

It is amazing that William Kerr who could give the meteorological conditions at the time of the murder, ~~with~~ with unrivalled opportunities to secure the truth from principals he knew quite closely at Campbell Town, managed only to produce a tissue of frantic inventions. He does not even have the correct name of the man who saw the apparition, although in fact, at the time Kerr was ferreting out particulars for his weird concoction, John Farley,

who claimed to have experienced the apparition was in partnership with John Hurley conducting a hotel only a stone's throw from where the inimitable Kerr was ruminating at the opening of his yarn. Also, his own then, or erstwhile employer, William Howe, of Glenlee, could never have furnished Kerr with such twaddle.

Unfortunately, Kerr's mishmash had influence upon later versions.

1 8 5 3 Charles Dickens was not a man to ignore a ghost story, and in 1853 he published in his magazine, Household Words, John Lang's fictionization of the Fisher ghost story, under the title, The Ghost Upon the Fence. (See under 1859)

1 8 5 6 Thirty years after Fisher died, the story of the apparition was circulating about the English-speaking world with great success. The French, however, with a great ghost lore of their own were evidently avid for stories of foreign ghosts. In March, 1856, the Parisian magazine, L'ami de la Maison published a two-part version. Although the editors took the precaution of changing the names of the principal personages, nothing could hide the fact that it was the Fisher story at it again. Fisher's name was changed to 'Hardy', Worrall's to 'Brush', and the aboriginal, Gilbert became 'Goosey Carrow'. The text appeared under the title, L'Esprit -- Une Cause Celebre en Australie! The two sections were lavishly illustrated with line drawings. Campbell Town, as background of the spectre was rendered exotically and much like the Tahitian landscape, lofty pinnacles rising in the distance, reminiscent of the Diadem of the romantic isle, and an ample garnish of coconut palms.

The apparition of Fisher, playing the role of 'Hardy' stood arms folded and stern-visaged before a dainty wicket fence, as unlike its Australian original as could be imagined. The aboriginal's discovery of blood stains on a fence is grimly recorded:

. . . posa son doigt velu sur des taches brunes en dit: Sang d'homme blanc! (placed his hairy finger on

some brown stains, saying, 'White man's blood!')

Gallic realism is kept under control in one illustration showing the murdered man's body -- completely disinterred -- lying upon the ground, classically handsome in its nudity, except for the intelligent drapery which avoided any risk of Et Ami de la Maison being shown the door for good and all. The text strongly suggests that the editors, Messieurs J. Etienne and Desieux vamped up the story from sources of their own, or the imaginative John Lang had thought to expand his literary fame beyond the confines of the ultra respectable Household Words of London. 'Brush' [Worrall] it is shown, makes a last minute gallows confession:

. . . lui seul avait assassine Hardy d'un coup de tomahawk, et cela sur la barriere meme qui separait ses champs de la route de Sydney, a l'endroit ou le spectre etait apparu. (He alone had killed Hardy with a blow from a tomahawk on the same fence which separated his fields and the Sydney road, where the apparition had appeared.)

1859 John Lang, mentioned earlier, had a tenuous connection with the events which were to make Campbell Town a name familiar to ghost story lovers throughout the world (if only because from version to version one could not be certain why, with what weapon, where, by whom the unlucky Fisher would be struck down, or under what alias the percipient of his apparition would scare the daylights out of the populace).

Lang was a barrister and a protege of William Charles Wentworth, a noted public figure in the colony during the 1800s who was personally acquainted with Frederick Fisher as will be shown. Lang had gone to school for a time at Campbell Town with the son of James Norton, leading solicitor of Sydney who also was personally acquainted with Fisher.

When John Lang came to adulthood the story of Fisher's ghost was still enthralling the Australian colonists. He had heard it

many times himself, not least from his school chum, James Norton the Younger, a future lawyer, whose father had such a close link with the leading figures in the story.

Lang eventually went to England and wrote stories. In the Fisher ghost he found attractive material; but with unnecessary caution he worked out a story based upon the original events as he recalled stories of them, changed all the names, localities and other details, until finally he could present it as more invention than fact, and admitted it to be so. His first having appeared in Household Words, it was next included in several collections of his stories under the titles, Clever Criminals, Botany Bay, Remarkable Convicts, and since the ghost story was the piece de resistance, simply as Fisher's Ghost. These books date from 1859.

In spite of the great pains taken by John Lang to make sufficiently plain his imaginative treatment of the Campbell Town events, mere resemblance to the original happenings has deceived readers for decades into accepting the Lang creations as factual. Even today, many people recounting the legend follow the lines of Lang's fiction as though it were truth.

'The names, dates and localities have been so altered that to all intents and purposes they form merely a work of fiction', Lang warned. But what about the events themselves? He names Frederick Fisher, 'John' Fisher; Worrall becomes 'Edward (Ned) Smith', a prosperous farmer; John Farley become 'Old David Weir', a poor farmer; Gilbert, the tracker, emerges as 'Johnny Crook'; Rev. Thomas Reddall becomes 'Mr. Cox', a magistrate of Mulgoa; the location of the drama is given as Penrith, on the Western Road.

Not surprisingly, the murder weapon becomes a tomahawk. Lang's reason for the sudden evanishment of Fisher is that he wishes to avoid the designs of a woman determined to marry him. David Weir, who sees the apparition of the missing man, is warned by his wife to keep silence for fear of what the rich and influential 'Smith' might do to harm them.

Lang departs from the usual general lines of the story to make the ghost appearances an even stronger element; thus ~~the~~ Weir, accompanied by a newly-sworn constable who has accepted a lift on the old man's cart, meets the apparition at the place where he first sighted it. But for good measure, the passenger ~~also~~ sees the spectre of Fisher, which startlingly enough in any circumstances (known or unknown to parapsychology) Weir addresses civilly as 'Mr. Fisher', and after its fading, notches the fence at the roadside where it had been seated, as a thoughtful precaution against future dispute.

Second viewing of the apparition moves Weir to inform Magistrate Cox that he fears Fisher has been murdered, and in the ~~old~~ established tradition, the police search, now with the aid of 'Johnny Crook' and led by the valiant magistrate himself, is crowned with hideous success.

Again, the normal course of justice is followed, except that there is the complication that a man answering Fisher's description, had (red herringlike) actually left the colony per ship at the relevant date. Also, a solicitor had been found who had made out a formal transfer of Fisher's property to 'Smith' who, meanwhile, had managed the missing man's affairs faultlessly.

All this, as the story goes, tends to induce some residents of the district to believe the body found was not Fisher's at all, but that of a man whom 'Weir' himself had murdered. As the victim was found wearing Fisher's clothes, the mystery deepened. Other people in the neighbourhood would have it that Fisher had been killed and robbed of his papers by someone who had escaped to England by impersonating Fisher, leaving 'Smith' as his dupe. The web of complications carried for many readers a degree of plausibility. It is only when the yarn reaches the point at which 'Smith' comes to trial that anyone having knowledge of the legal processes of the 1820s would begin to question the authenticity of what Lang had presented.

At the hands of Lang, 'Smith' comes to trial before the Chief Judge, conducts his own defence and cross-examines witnesses 'with

wonderful tact and ability; and at the conclusion of the case for the prosecution, addressed the jury at considerable length and with no mean amount of eloquence'.

The esteemed trial judge, 'the last man in the world to believe in supernatural appearances', summed up in the prisoner's favour; but ~~as~~ a perverse jury, composed of members of the military forces, found 'Smith' guilty and the death sentence was passed.

A hastily organised petition to the Governor seeking a reprieve for 'Smith', having the support of a recommendation by the judge, led ~~to~~ the Governor ordering a reprieve, to be [unaccountably] withheld from delivery until within one hour of the time fixed for the execution. The author even forgets this little complication in the excitement of describing the hostility of the citizens of Sydney awaiting the public hanging, who yell that 'Smith' is being murdered and that Weir is the guilty party.

It is not until the evening -- 'Smith' having been executed early in the morning (notwithstanding the reprieve) -- that the angry citizenry are astonished to learn 'Smith' had made a last-minute confession to the Rev. Mr. Cooper (alias for Rev. William Cowper) that he had plotted for two years to kill Fisher in order to obtain his property. He had been assisted by a former convict who closely resembled the murdered man, and whose role it had been to forge the power of attorney and then go to England from whence he wrote a letter to further the imposture.

A wistful touch is added to the condemned man's confession, which asserts that he himself had been haunted by the ghost which old 'David Weir' had truly sworn he had seen sitting on the fence rail. Fisher had been slain by a single blow of a tom ahawk.

The extent of the influence of John Lang's story upon the legend for decades to follow may be decided by the reader for himself when all the known facts have been stated. It should be remembered that when the ghost story came into being the colony was in a primitive state. There were no public libraries; newspapers were expensive -- one shilling per copy -- and circulated among wealthy

settlers or government officials. News stories were liable to contain many errors of fact, glaring examples of which will be seen in the actual history of Fisher. The archives of the colony were maintained in a slipshod manner, often in flimsy buildings to which rain gained ruinous access.

As an indication, on February 10, 1826, the police office at Liverpool -- a township senior to Campbell Town -- complained that the courtroom had neither desks nor other means to secure the records of the court, 'which are necessarily kept by the Clerk at his private dwelling'. (SA)

Campbell Town, 34 miles from Sydney, was something in the nature of an outpost, it generally taking a day to make the journey by coach. Events in Sydney were usually transmitted by word of mouth, and vice versa, with inevitable garbling. Under these conditions it was difficult for people to get at the truth of stories set in circulation verbally. By the time John Lang began to make capital out of Fisher's ghost, few cared to go to the trouble to check to what extent his story bore upon the facts. As late as 1954 Lang's ~~melange~~ seems to have been found acceptable as a genuine historical document.

Such misconceptions are exploded when it is known that in the 1820s an accused person under trial was not permitted to speak in his own defence (whatever his tact and eloquence!) as was the custom in benighted England whose notions of justice would prevail in the Australian colony. Allusions to supernatural agencies were not admitted in evidence, having received their deathblow in witch trials of an earlier time. On these counts alone, Lang's story of Fisher's ghost is the more prudently regarded as merely an entertaining yarn.

1 8 6 5 There was now no stopping the onward course of the Fisher legend, which gained publication wherever editorial nous detected a reader interest in the supernatural. It would be another thirty years before any quasi-scientific body would appear in England to inquire into and classify the types of phenomena reported among all peoples from the remotest historical eras, of which apparitions seemed to form a major class. Interest among people who had scarcely been touched by the appeal of religion or who had rejected generally unintelligible forms, remained vivid.

Ghosts were acceptable even though they were then inexplicable, because they suggested a mysterious sort of indestructibility of personality - something which many liked to feel. The respectable Chambers' Journal joined the throng of Fisher's Ghost fans during 1865, when it published Ghosts in Australia. Possibly it had been thought until then (as some think to this day) that Australia was far too young a country to be endowed with ghosts; that only great age and decrepitude generated the elements of the 'supernatural'.

1 8 7 5 But whatever the degree of ease with which distant peoples accepted Australia's premier ghost story, the old Biblical prejudice, that no good could come out of Nazareth, was harbored by Australians themselves, some of whom were vehemently opposed to such nonsense as ghosts, spectres, apparitions, or whatever the deluded chose to call them. Controversy broke out with notable regularity on the topic of Frederick Fisher's ghost; and the more eminent a person might be in a particular field, the more fitted he supposed himself to be to pontificate in other fields where lack of documentary evidence or insight favored his impertinence.

For even yet, the facts about the Fisher case were hidden except to a few aged Campbell Town residents, and the legend (apart from the many, varied and even conflicting public versions) was extremely tenuous.

Among those who decided he was in a position to judge for the rest of the world, was the Australian journalist and novelist, Marcus Clarke, famous principally for his story, For the Term of His Natural

Life, based upon the horrors of the early convict settlements in Tasmania and New South Wales. Clarke was opposed to the legend of the ghost, and his failure to give his prejudice the support of evidence, does not entitle him to serious notice concerning the subject. His objection appeared in the Australasian on August 14, 1875, which journal in the issues of the following week found two challengers to Clarke's views, under the pseudonyms of Antiquus and Old Chum. They asserted they had questioned persons who had been resident in Campbell Town at the time of Fisher's death and found that no one doubted the reality of the ghost claimed by Farley to have been seen by him.

These affirmations do not constitute evidence, but they keep the topic alive against the time when the whole question might well be considered in the presence of adequate documentation or at least, new ways of thinking.

1883 The next major consideration of Fisher's ghost was contained in Volume 2 of C.W. Rusden's three-volume History of Australia, which appeared in England in 1883. Now, for the first time, a historian made an effort to consult the sparse available records, Rusden's prime interest was in the evidence concerning the part played by the ghost, and he claimed his notes were based upon those of the trial judge, Francis Forbes. The trial notes, however, made no mention of evidence about a ghost, 'which, although it led to the search for Fisher's body', said Rusden, 'could not be alluded to in a court of justice, nor be adduced as evidence'.

Rusden's account is substantially based upon notes of Worrall's trial made by the Clerk of the Supreme Court, John Gurner. Those notes are sketchy and lack important dates. In several instances the names of witnesses are grossly misspelled so as to barely resemble the correct names. The copy of the notes at present in the possession of the Mitchell Library appears to have been made after 1837 by some negligent clerk, who among other errors, set down the trial judge as being 'Sir' Francis Forbes, ten years before the knighthood was conferred, i.e., ten years after the trial of Worrall.

Rusden places the apparitional event in October (1826) and the point at which Farley perceived it, 'about 50 yards [rods] from Worrall's house'. Again is met the information that Farley's story was told to a magistrate as a preliminary to a police search being instituted. This point is of importance because the ghost factions dispute continuously over whether the apparition reported by Farley was reported by him before the search for the body took place, and hence could have been a factor in its being found; or was reported (or invented) after the body was found.

Rusden clearly obtained no guidance from the only documents he could consult, and it is a matter of surmise what his source might have been when he related the story in its general form: he says,

The Campbell Town ghost story, like all others, was garbled in narration. I have corrected current rumours by comparison with the words of a trusty informant, a medical man, who lived long in the neighbourhood, and attended Farley on his deathbed.⁴ He had often conversed with Farley on the subject of the reason which scared him. Nothing was ever elicited to account for the vision which Farley described, or to suggest that he previously suspected foul play on the part of Worrall or others.

The care exercised by Rusden did not prevent his including the error that Frederick Fisher possessed a conditional pardon.

1887 As in all times, the merest suggestion of the mystical is a goad to a particular tribe of noodles who labour under the delusion that they are the fount of logic. They are insensible of the fact that logic can be applied only to the known; and that their own lack of knowledge on any subject disqualifies them from pronouncing judgements thereon.

Of this tribe, W.H.Suttor, member of the Legislative Council of NSW entered the Fisher's ghost fray in 1887 with a slim book, Australian Stories Retold, in which he observes,

. . . It is stated that a man named Farley, leaving Campbell Town one night, with probably some grog aboard, having parted from his boon companions, returned to them, appearing in a frightened condition, with a statement that he had seen the Ghost of Fisher at the slip panel leading into the paddock at Fisher's house, and that the appearance had pointed to the paddock. The Ghost was dressed in the ordinary everyday garments of the period -- in fact, in Fisher's clothes. There can be no doubt whatever that Fisher's clothes and body were at the very time under the ground, and rapidly becoming in a very decomposed and unrepresentable and (with regard to the clothes especially) very rotten condition.

If the Ghost really wore Fisher's clothes, one wonders how such an insubstantiality could support their weight, unless, indeed (but this is too funny or too dreadful to contemplate), clothes -- material clothes -- may be sublimed or spiritualised, and be invested with a future existence. (In this condition, will they wear out?) . . .

It is a consolation to know, at all events, that in spiritland decency at least is ~~strictly~~ preserved.

But may not one seek for a rationalistic theory to account for this Ghost? The Ghost is not reported to have been seen until four months had elapsed after the murder. It did not appear until those who knew Fisher became perfectly satisfied that he did not leave the colony, and that Worrall's statement about him must be untruthful.

It is proved that the night he was missed he left a public house in company with several persons. None of these seem to have been called at the trial. It is most likely that others knew of, if indeed they did not participate in, the murder. What had been done had probably been known to or discovered by Farley and he then invented the whole story to ease his conscience of a burden too

heavy to carry any longer.

This gave the clue which, when followed up, led to the finding of the body. The neighbours who were of the same class with Fisher and Worrall were not likely to have been deceived by Worrall's lies. They were probably too loyal to one of their number to state openly what they knew. The blood on the fence, the attempt to burn it out [see later] most surely was known to some of them.

Other theories suggest themselves, but I venture to think that the above is most likely to be the correct one.

It has been suggested that the story of the Ghost having been seen at all was a mythical growth of a later day. In contradiction to this idea, I have the authority of a correspondent who was intimately connected with the gentleman who had charge of the police in the district where the murder was done, to the effect that Farley's story did suggest the search for the body in the creek. But even so, this does not prove that Farley saw a ghost, but rather strengthens the solution given above.

Thus, the legislative mentality of the time. In practically every assertion Suttor is wrong. No 'proof' was ever adduced that Fisher attended a public house in company with others on the night of his disappearance. All the evidence -- when we come to it -- goes the other way.

1892 W.T. Stead, the famous English journalist, editor and Spiritualist, who later lost his life in the sinking of the Titanic, was attracted to the Australian ghost classic from having read Lees' Glimpses of the Supernatural, published in the 1850s. Stead wrote to Australian journals in the hope of securing the facts of the Campbell Town story, but with what results it is not possible at this stage to state.

In that year, however, controversy was still lively and had the effect of bringing into publication in the Sydney Daily Telegraph

a letter by James Norton, the younger, son of the James Norton, solicitor, who had been contemporary with the principals in the affair, some of whom had been his clients. The younger Norton had meanwhile succeeded to his father's large practice, had been (as already stated) a schoolfellow of John Lang, the barrister-novelist, at Campbell Town.

At the time of Fisher's death, James Norton II had been only two years old; so at the time of his writing to the newspaper he was 68 years old. He recalled that in later years he frequently heard his father tell the Fisher story, John Farley having been one of the elder Norton's clients. It is noted that Norton provides a few variations of detail as compared with previous accounts:

[Farley], supposed to be drunk, was found lying on the bridge over a branch of the Bunbury Curran Creek. On his coming to his senses, he informed his friends that as he was crossing the bridge he was astounded to see his friend, Fisher, sitting on the handrail of the bridge, and he, of course, greeted him in a friendly way, not a moment doubting that it was Frederick Fisher in propria persona.

Instead of returning the greeting, the supposed Fisher, by an easy gliding motion left his position and proceeded down the creek, beckoning Farley to follow, but the terrified man, convinced that the appearance was supernatural, fainted from fright.

Great excitement was created by Farley's story, which presently came to the ears of my father, who happened to be Farley's solicitor.⁵

Of course, many people laughed at the story as ridiculous, and said that Farley, instead of fainting, had dropped down dead drunk, and some, afterwards, even hinted that he had a hand in the murder,⁺ though this was extremely unlikely, as he was a quiet and respectable man, and no circumstance was known which could throw reasonable suspicion upon him.

+ Norton Snr had heard the story long before murder was suspected.

As week after week elapsed without any steps having been taken to bring the supposed murder to justice, my father, who had become greatly interested in the matter and was a personal friend of the Attorney General (Mr. Saxe Bannister) insisted on some effort being made to unravel the mystery.

[It is desirable here to interpolate that Norton senior did not write to the Attorney General concerning the story of the apparition, but on other grounds for an investigation. In another place, Norton II is specific about the ghost and the time element.]

A reward of £20 was offered, and the constable at Campbell Town [was] directed to search for Fisher's body, upon which he obtained the assistance of two blacks, and commenced work at the bridge where some blood was found on the rail, though an attempt had been made to burn the stain out.

From that point, James Norton II's version proceeds along the usual and generally factual lines, covering the methods of Gilbert the tracker and his fellow aborigine, followed then by Worrall's arrest, conviction and execution.

Although James Norton I was probably the narrator's authority for the claim that there was some excitement 'created by the supposed insufficiency of evidence' upon which to convict Worrall of murdering Fisher, there is no reason to doubt its truth, since the large convict population was extremely sensitive to the shortcomings of English justice. It can be seen where John Lang derived his dramatic touches from leading to the incident of the demand for reprieve. But, says James Norton II, the apprehensions of the populace quietened when it became known that Worrall confessed his guilt before going to the gallows. Both Nortons seem to have considered Worrall's final confession as to the killing being accidental, to be false. Norton II concludes:

I learned most of the foregoing facts from my father, who often related them, and on my going to school at

Campbell Town in 1841 the ghost story was still current. I have often seen and indeed sat upon, the rail which *the* Ghost had occupied, and traced down the creek and examined the place where the body was found . . .

The story as told by my old schoolfellow, John Lang is full of accidental and intentional variations.

It probably has been noticed that until the Norton version, each account states that Farley saw the apparition sitting on the fence by the roadside. What then is the significance of the Norton variation -- of its being perceived at the rail of the creek bridge over which Farley had to pass? Two problems are contained in the contradiction. Which 'creek' was being referred to; and if the apparition was located in the vicinity of the bloodstained rails, how could Fisher have been safely beaten to death beside the public road, and the traces go undetected for four months? Plainly, two locations are confused.

An Australian author of historical stories, W. Astley (nom de plume, Price Warung) on March 4, 1892, joined in the controversy with a letter to the Sydney Daily Telegraph stating his belief that the man who claimed to have seen a ghost of Frederick Fisher was guilty of complicity in the murder.

This was an example of the attitude persisted in during successive decades by a headstrong minority in defiance of the historical fact that Worrall confessed his guilt, as Astley should have seen in the Norton Correspondence.

1898 The evergreen appeal of the Fisher apparition could not fail to appeal to freelance journalists as a profitable topic to be hashed up periodically without the drudgery of research. Prejudice was crystallized by this as regards the culpability of certain persons, and there seemed no longer any need for fossicking after gleams of truth. People liked the idea of the ghost, anyway, however it was served up. Even more, they were enchanted with the notion that a wronged soul had power momentarily to triumph

over death to see justice set in train, which gave one the feeling of having a fair thing in reserve. It could have been disconcerting to more sensitive individuals to note that ~~but~~ some versions were intent upon showing ~~that~~ the ghost was grossly mistaken about who did it and where. There were those too, who saw in these discrepancies ample 'proof' that the apparition was a delusion or a deliberate lie.

George Burnett Barton, who wrote an article for a Sydney newspaper during 1898 appears to have performed more than the usual amount of research. Not content with the trial notes, he evidently scrutinised the colonial Press of the period. Accordingly, Barton brought to light particulars unappetizing for the calumniators of John Farley who merely saw a ghost, or believed he had done so. Worrall's conduct after Fisher disappeared, his attempts to sell some of the absent man's property, a receipt promptly recognized by Fisher's neighbours as a forgery -- all are mentioned. He showed too that Fisher's acquaintances were perturbed by Worrall's making free with another's goods, notwithstanding that Worrall was popular and respected.

Barton traverses the events leading to the Governor offering a reward for information as to the fate or whereabouts of Fisher, after James Norton and Daniel Cooper ^(a prominent Sydney Town merchant) had put their heads together to have matters investigated.

But Barton, after reporting that a search at Campbell Town swiftly followed the offer of ~~a~~ generous ~~a~~ reward, states positively that the search was unsuccessful and that it was not until a month later that Farley saw the apparition, an estimate which would place the percipience close to the finding of the body -- October 25 (1826). The official facts do not support it. Evidence from private sources to which we shall presently come, makes good ~~some~~ deficiencies in official records, and shows Barton's calculations to be faulty.

Barton's authority for stating some details is difficult to ascertain. Of these details, we read that Rev. Thomas Reddall

to whom William Howe led Farley, heard him sympathetically and took from him a deposition. Reddall, according to Barton, warned John Farley not to speak of the apparition abroad. Again, it is difficult to ascertain Barton's sources for the statement that Reddall personally acquainted his fellow magistrates with Farley's story at the next meeting of the Bench; and that although some of the magistrates were inclined to ridicule Farley's claim, they concurred in issuing an order to the police to make a careful search from the spot at which Farley said he observed the spectre, and to follow a course in the direction in which he thought it had pointed.

The site of the apparition in this version -- the junction of paddocks belonging to Fisher and Worrall -- is vague, since both men's paddocks come together on either side of a party fence hundreds of yards long. Since Farley was passing along the public road when he saw his vision, it follows that the point at which the apparition was seen by Farley would have been beside the road, ~~but~~ where the party fence started. Barton's references to Farley's making a deposition to Magistrate Rev. Reddall may have been pure speculation. Against this, it occurs in other places, though it never gains official cognisance.

There are no notable departures from the tradition in Barton's account of the arrest, trial and execution of Worrall, although in due time it ^{would} be shown that the circumstances which led immediately to the search after long frustration, ~~were~~ were certainly far different from what ~~was~~ ^{would} be popularly supposed. Barton reports Worrall's attempt to shift the guilt onto four of Fisher's workmen, and in so doing demolishes Suttor's slighting allusions to local loyalties. Even if Barton is in error in timing, and quotes wrong dates such as those of the finding of the body and the coroner's inquest, at least the story which had been as vague as the ghost itself to some minds, began to reveal itself as having a good deal of 'substance'.

Whether or not Barton then was unconsciously reflecting

John Lang's fictionising, his own version becomes touched here and there with variations from the usual pattern of the story. Otherwise, how could Barton describe the execution scene, Worrall's demeanour, and a statement in his gallows confession which has no documentation as far as the present writer can discover. After having mortally injured Fisher by accident in hurling a fence rail which he found lying on the ground, Worrall, according to this narrative, found that Fisher was not dead and that he remained with him until he died. Rev. William Cowper to whom Worrall confessed in the shadow of the noose did not include any such particulars in his report to the Sydney Gazette immediately afterwards.

N O T E S

1. William Westgarth in his book, Early Melbourne (1888) refers to one William Kerr, founder of the Melbourne Argus, who was a close friend of the Rev. J. Dunmore Lang, of Sydney, during the early years of the nineteenth century. Kerr sold his little newspaper and became town clerk of Melbourne in succession to its first town clerk, John Charles King. Kerr lost his position through negligence in connection with the ~~town~~ accounts. Never robust, his health deteriorated. Eventually, he obtained employment on the Victorian railway. About the time Kerr wrote the story of Fisher's ghost for Tegg's Monthly Magazine, he was also writing for The Colonist (Sydney).
2. Fisher was never imprisoned on a petition by a man whose name began with the letter 'P'.
3. John Hurley played no part in the history of Frederick Fisher. Some years after the death of the latter, Hurley became partner with John Farley in conducting the King's Arms Hotel, Campbell Town, and in running a coach service carrying mails and passengers to Sydney. After the death of John Farley in 1841, ~~and~~ his wife Margaret ^{had taken} over her husband's affairs, Hurley became licensee of the Royal Hotel, Campbell Town, and remained so until 1853. Hurley is interred in St. John's Catholic cemetery. Farley, who was 67 when he died, is interred in St. Peter's churchyard, Campbell Town.
4. J.K.Chisholm.
5. The testimony of the younger Norton is crucial among the unofficial data concerning the apparition of Fisher, and its precision leaves no doubt that it was verified from the elder Norton's papers. Otherwise, Norton II, when relying on his memory, much later, goes astray.

The elder Norton was solicitor and confidant of John Farley. This is apparent from the fact that he could relate

to his son and successor the story of Margaret, Farley's second wife.

Farley came from Newgate Gaol for trial in company with his wife, Eliza, at the Old Bailey on December 5, 1810. They were charged on two counts of stealing:

1. Goods and 53/- in money from James Williams; and goods and 18/- in money from John Adamson, at the dwelling house (lodging rooms) of James Williams.
2. Stealing goods and £3 from John Canning; and goods and 14/2d. from John Ballard -- the latter items being the property of Thomas Brown.

John Farley pleaded guilty. He was acquitted on the charge of stealing from Williams, but was found guilty otherwise and sentenced to be hanged. Eliza Farley was acquitted on both counts.

With sixteen others condemned at the same hearing, John Farley had the royal mercy extended to him in the form of commutation of the sentence of death to transportation for life. (PRO)

Farley arrived at Port Jackson per ship Guildford in 1812, and before long his blameless conduct had earned him Ticket-of-Leave, followed by Conditional Pardon and finally, Absolute Pardon. By industry he amassed wealth, being particularly successful as a farmer in the Campbell Town district. In due course he received a grant of land on the Appin road. All reliable accounts agree that Farley was a popular and valued citizen, a staunch and fearless upholder of communal order.

During his exile from England, his wife Eliza died, and John Farley was left free to re-marry in the colony. His choice was a younger woman who appears to be identical with the Margaret Chuttleborough appearing in the convict indents of female transportees per ship Minstrel in 1812. At all events, Margaret Farley is entered in the NSW Census of 1828 with identical particulars, her age then, 35 years, being con-

sistent with her history related by the younger Norton as derived from his father.

Margaret Farley's story tells that as an 18 year old country girl she found employment with a Jewish family in London. A friendly and willing worker, Margaret helped the household cook above the duties she herself had to perform, and one day was rewarded by the cook with a roll of satin ribbon. The girl delightedly trimmed her bonnet with the ribbon, thus attracting the interest of her mistress who wished to know from whence Margaret had ~~acquired~~ it, as she had herself lost a roll of such ribbon. Having frankly admitted having received it from the cook, Margaret was astounded when the cook denied having given the rose-coloured ribbon to her.

Margaret was arrested and put on trial for stealing, and sentenced to be hanged. Some spectators at her trial were so appalled by the savagery of the verdict, believing her to be innocent, ^{they} set to work to influence the authorities to reduce the severity of the sentence. Many weeks elapsed during which the girl lay in gaol wretchedly expecting day by day to be taken out to the gallows. But her unknown benefactors were finally successful and the death penalty was commuted to transportation for life.

John and Margaret Farley had no children; and at John's death in 1841 Margaret was his sole heir. Officialdom did not relent towards the inoffensive woman until John Farley had been dead a year. Then, presumably because of her affluence, the prevailing social virtue, she was pardoned. Margaret carried on John's hotel interests for a time, but presently faded from the historical record. (Principally based on the younger James Norton's story in the Sydney Daily Telegraph, March 15, 1892).